

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DINO PHILLIPS,

Plaintiff,

MEMORANDUM ORDER

- v -

CV-10-2330 (CBA)(VVP)

THE CITY OF NEW YORK, et al,

Defendants.
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In accordance with the court's order, the defendants have produced to the court for *in camera* review the complete listing of complaints filed against the defendant police officers contained in the records of the CCRB, the IAB, and the CPI to enable the court to determine whether further records concerning complaints against the officers are subject to production. Upon review of the lists and after discussion with counsel for the defendants concerning the information contained in the lists, the court provides the following additional direction to the defendants concerning the records to be produced.

The defendants have produced records regarding both substantiated and unsubstantiated complaints of misconduct by the officers of a similar nature to the misconduct alleged here, as well as complaints related to false statements. In addition to substantiated and unsubstantiated complaints, the lists also reflect complaints that were determined to be unfounded or on which the officers were exonerated. Records regarding all such complaints, if they fall within the scope of complaints identified above are to be produced. In addition, the lists reflect IAB investigations of matters that fall within the scope of production identified above but which are still open. As to any such investigations that concern incidents that were *not* also the subject of CCRB complaints that have been (or

will be) disclosed, the defendants shall produce the following information from the IAB files:

(1) the names and contact information of the complainants and non-police eyewitnesses, (2) the nature and date of the incident underlying each complaint, and (3) any written statements made by the complainant or non-police eyewitnesses.

The production of the above information, as well as that previously ordered by the court, is to be made as soon as reasonably practicable, and in any event by November 30, 2011.

SO ORDERED:

Viktor V. Pohorelsky

VIKTOR V. POHORELSKY
United States Magistrate Judge

Dated: Brooklyn, New York
October 27, 2011